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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/045,301 | 10/26/2001 | Robert S. Bosko | 0006-0023 | 1272 |
| 7590 | 12/28/2004 | | EXAMINER | |
| Dennis Braswell 105 Soost Court Mobile, AL 36608 | | | MENON, KRJSHNAN S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1723 | |

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------|------------------------|---------------------|--|
| Advisory Action | Application No. | Applicant(s) | |
| | 10/045,301 | BOSKO, ROBERT S. | |
| | Examiner | Art Unit | |
| | Krishnan S Menon | 1723 | |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 December 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) The period for reply expires 3 months from the mailing date of the final rejection.
- b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. A Notice of Appeal was filed on 16 December 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. The proposed amendment(s) will not be entered because:
 - (a) they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) they raise the issue of new matter (see Note below);
 - (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. Applicant's reply has overcome the following rejection(s): See Attached.
4. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1,6-8,11-15 and 18-31.

Claim(s) withdrawn from consideration: _____.

8. The drawing correction filed on _____ is a) approved or b) disapproved by the Examiner.

9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. Other: _____

Attachment to Advisory Action

Applicants' amendment has overcome the 35 USC 112, first paragraph, rejection of claims 1 and 31 on new matter - conductive cooling.

Upon entry of the after-final amendment, the claims will stand rejected as follows:

1. Claims 1,6-8,11-15 and 18-31 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. (new matter- treated water source as sharing at least a part of a cabinet in claims 1,20 and 31, and 'separate unit does not share said cabinet' in claim 20)
2. Claims 20-25, 27 and 31 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by, or in the alternative, under 35 USC 103(a) as being obvious over Boulter (US 6,093,312).
3. Claims 1,8, 12, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boulter (US 6,093,312) in view of Voznick et al (US 5,256,279).
4. Claims 26 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boulter (312) in view of Creddle Jr. (US 5,992,685).
5. Claims 15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boulter (312) in view of Voznick (279) as in claim 1 above, and further in view of Creddle (685).

6. Claims 6,7,11 and 12 are rejected under 35 U.S.C. 103(a) as unpatentable over Boulter in view of Voznick as in claim 1 above and further in view of Blades (US 5,536,411).

In response to applicants' arguments re the 'conductive cooling', since applicants have deleted this limitation from the claims, the arguments are moot.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krishnan S Menon whose telephone number is 571-272-1143. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Krishnan Menon
Patent Examiner


GREGORY MILLS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700